



AF *tim*

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450
BY: ANITA TROXEL Anita Troxel DATE: 10/26/06

MAIL STOP: AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Donald A. Schon et al :
Serial No.: 10/670,861 : Group Art Unit: 3761
Filed: September 24, 2006 : Examiner: Melanie J. Hand
For: A Multilumen Catheter and Methods : Attorney Docket No.: MED-0005D1
For Making the Catheter

Commissioner of Patents and Trademarks

Sir:

PETITION FOR RECONSIDERATION UNDER 37 CFR §1.182

An Advisory Action mailed October 23, 2006 holds that the Amendment and Response After Final previously filed on September 28, 2006 was not entered, the date of the Office Action being July 26, 2006. Applicants hereby request that the Amendment and Response of September 28, 2006 be entered and that the Office Action of July 26, 2006 be withdrawn, pursuant to under 37 CFR §1.182.

Applicants submit that the Response does not "raise new issues requiring further search" as the Advisory Action maintains. Applicants believe that the limitation of "thick integral internal septum" entered in the previous Amendment and Response of May 8, 2006 raises the "new" issue(s) referred to by the Advisory Action. The subsequent Amendment and Response After Final provides express details of such a "thick integral internal septum" and thus the issue is not "new". The newly proposed limitation in claim 22 and claim 35 of "from one side of the catheter to an opposed other side thereof the septum being of generally constant thickness in cross-section" is believed to be in furtherance of the previously raised issue of a thick integral internal septum. It is believed that there is nothing new in this issue; in fact, it is believed to actually narrow the previously raised issue. The second proposed limitation in claim 22, in line 5, and in claim 35, line 5, of the first and second lumen being "initially" separated from each other by a thick integral internal septum" is consistent with the previously present issue of the lumens being splittable (see claim 35 second subparagraph), and thus is also not a new issue.

Therefore, Applicants believe that the Amendment and Response of September 28, 2006 does not raise "new issues requiring further search." Applicants believe that the Amendment and Response of September 28, 2006 address substantially all grounds of rejection in the Office Action of July 26, 2006. Applicants therefore respectfully request that the Amendment and Response of September 28, 2006 be entered and considered, and that the outstanding grounds of rejection be withdrawn.

Accompanying this Request is a Petition for Extension of Time for one month.

Please charge the fee of \$790 to Deposit Account No. 502434. This Petition also constitutes a Request for Refund of this amount if the Petition for Reconsideration is granted.

Respectfully submitted,

Donald A. Schon, et al

October 26, 2006
(Date)

By: Anton P. Ness

By: Anton P. Ness

Registration No. 28,453

Monte & McGraw, P.C.

4092 Skippack Pike

P.O. Box 650

Skippack, PA 19474

Telephone: 610-584-9400

Facsimile: 610-584-9783

E-Mail: aness@montemcgraw.com

Customer Number 33941